

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE) MDL NO. 1456
LITIGATION) Civil Action No. 01-12257-PBS

THIS DOCUMENT RELATES TO) Judge Patti B. Saris
01-CV-12257-PBS)

**PLAINTIFFS' AND TRACK 1 DEFENDANTS' JOINT SUBMISSION
IN SUPPORT OF ADDITIONAL TRIAL DAYS**

Pursuant to Paragraph (2) of the Court's Second Amended Pretrial Order and Case Management Order #28 (Sept. 9, 2006), the undersigned counsel for Plaintiffs and Track 1 Defendants in the above-captioned action respectfully submit the following proposal for additional time:

- (1) Plaintiffs shall have four additional days of trial for a total of 14 trial days.
- (2) Each defendant shall have one additional day of trial, for a total of four trial days per defendant.

Respectfully submitted,

PLAINTIFFS' LEAD COUNSEL
ON BEHALF OF ALL PLAINTIFFS

By: /s/ Steve W. Berman

Dated: September 21, 2006

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By: /s/ Lucy Fowler

Dated: September 21, 2006

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CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for defendants conferred with counsel for plaintiffs on this motion, and that both parties join in the motion.

/s/ Lucy Fowler
Lucy Fowler

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending on September 21, 2006, a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Lucy Fowler
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